

AMENDED IN ASSEMBLY APRIL 11, 2013

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 467**

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**Introduced by Assembly Member Stone**

February 19, 2013

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An act to add Division 30.5 (commencing with Section 81100) to the Water Code, relating to water quality.

### LEGISLATIVE COUNSEL'S DIGEST

AB 467, as amended, Stone. Freshwater Protection Act.

Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the California regional water quality control boards are the principal state agencies with authority over matters relating to water quality. The state board and the regional boards prescribe waste discharge requirements for the discharge of waste that could affect the quality of the waters of the state. Existing law authorizes local agencies to adopt groundwater management laws that include contamination cleanup provisions.

This bill would establish the Freshwater Protection Fund in the State Treasury, under the administration of the ~~State Water Resources Control Board~~ *state board*, and would provide that money in the fund at the close of the fiscal year shall remain in the fund and shall not revert to the general fund. This bill would require the ~~State Water Resources Control Board~~ *state board*, upon appropriation, to expend ~~money~~ *moneys* from the fund for various purposes generally relating to groundwater and water quality. *This bill would require the state board, in expending moneys from the fund, to prioritize programs that provide drinking*

*water solutions for disadvantaged and severely disadvantaged communities.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Division 30.5 (commencing with Section 81100)  
2 is added to the Water Code, to read:

3  
4 DIVISION 30.5. FRESHWATER PROTECTION ACT  
5

6 81100. (a) There is in the State Treasury a Freshwater  
7 Protection Fund.

8 (b) The Treasurer may receive money or other assets from any  
9 source for deposit into the fund, including gifts, grants, and  
10 bequests.

11 (c) Moneys in the fund at the close of the fiscal year shall remain  
12 in the fund and shall not revert to the General Fund.

13 (d) The board shall be the administrator of the fund for auditing  
14 purposes.

15 (e) The board shall expend ~~money~~ *moneys* from the fund, upon  
16 appropriation by the Legislature, only for one or more of the  
17 following purposes:

18 (1) Direct assistance.

19 (2) Indirect assistance.

20 (3) Emergency response and removal of potential sources of  
21 contamination.

22 (4) Natural resource protection.

23 (5) Administrative costs. Expenditures pursuant to this paragraph  
24 shall not exceed 20 percent of the annual appropriation from the  
25 fund.

26 (f) *The board shall, in expending moneys from the fund,*  
27 *prioritize programs that provide drinking water solutions for*  
28 *disadvantaged and severely disadvantaged communities.*

29 81101. (a) “Administrative costs” includes, but is not limited  
30 to, costs incurred during any of the following:

31 (1) Groundwater monitoring for fertilizers.

32 (2) Development and enforcement of natural resource protection  
33 rules.

(3) Coordination of programs under this division with the United States Environmental Protection Agency and state programs to protect human and environmental health.

(4) Management of fertilizer sales information.

(b) “Direct assistance” includes, but is not limited to, any of the following:

(1) *Programs that provide sustainable, affordable, accessible drinking water solutions for disadvantaged and severely disadvantaged communities, including those communities served by drinking water systems between 2 and 14 connections and by private wells.*

~~(1)~~

(2) Programs that provide for alternate *drinking* water supplies or *treatment*, including consolidation with an existing noncontaminated water system.

~~(2)~~

(3) Programs that provide for closure of wells that may impact groundwater, such as abandoned, improperly constructed, or drainage wells.

~~(3)~~

(4) Programs devoted to integrated natural resources conservation that encourage the judicious use of fertilizers and other agricultural inputs and practices that are protective of water quality.

~~(4)~~

(5) Programs that provide monitoring of private wells to detect fertilizers or fertilizers with other contaminants.

~~(5)~~

(6) Programs that enhance investment of private and federal funds in fertilizer management and remediation for freshwater protection.

~~(6)~~

(7) Programs that provide verification of actions taken pursuant to this section.

~~(7)~~

(8) Other programs established pursuant to this division.

(c) “Indirect assistance” includes, but is not limited to, any of the following:

(1) Programs that provide education about fertilizers and fertilizer management.

- 1     (2) Programs that provide technical assistance on fertilizers and
- 2     fertilizer management.
- 3     (3) Programs that provide for the promotion and implementation
- 4     of onsite evaluation systems and freshwater protection practices.
- 5     (4) Research programs for the determination of the impacts of
- 6     alternate management practices.
- 7     (5) Research programs for the determination of natural resources
- 8     sensitivity and vulnerability to contamination.

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